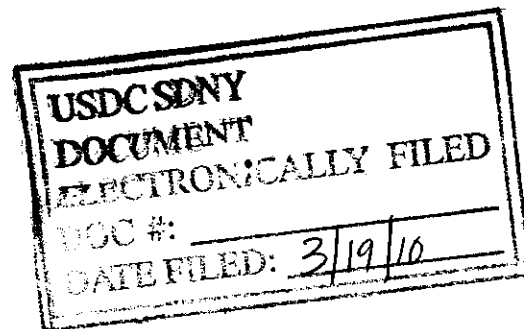


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March 16, 2010

By Fax (212-805-7906)  
The Honorable Denny Chin  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007



Re: *In re Wells Fargo, et al. v. Trust Preferred Solutions LLC, et al.*/ Case No. 09-cv-9135 (DC) (SDNY)/ Request of For Extension of Time to File Briefs.

Dear Judge Chin:

This firm represents (i) SCP Capital I, Ltd.; and (ii) SCP Master Fund II, Ltd. in the above-referenced litigation.<sup>1</sup>

After the pre-motion conference on March 5<sup>th</sup>, we realized that the current date for the parties to exchange opening briefs, April 6, is the last day of Passover (a day on which many follow the religious proscription against performing any work).

Early last week, I sent an email to all counsel asking them to advise if they had any objection to extending the briefing schedule by one week for both opening and reply briefs. There has been no objection by any party.

Accordingly, we respectfully request that Your Honor modify the briefing schedule on the issue of whether the TIPS offer in respect of Tropic IV is proper such that opening briefs would be due on April 13 and responsive briefs due May 11 (a week after the current date of May 4).

**APPLICATION GRANTED.**

**SO ORDERED**

  
Denny Chin, U.S.D.J. 3/19/10

Respectfully submitted,

  
Jennifer L. Saffer

cc: Attorneys for all Plaintiffs and Defendants (by electronic mail)

<sup>1</sup> We also represent StoneCastle Advisors, LP. ("Advisors"). In its answer, Hildene Capital Management, LLC ("Hildene") asserts an "Additional Counterclaim" against Advisors for "Breach of Fiduciary Duty/Breach of Contract." Depending on the Court's ultimate determination of the instant issue, *ie*, the propriety of the TIPS' Offer in respect of Tropic IV, we anticipate requesting a pre-motion conference in respect of the "additional counterclaim" asserted by Hildene, for permission to file a motion to dismiss for, among other things, lack of subject matter jurisdiction, and failure to state a claim, and/or for judgment on the pleadings.